

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FREEDOM FROM RELIGION
FOUNDATION, INC.,

Plaintiff,

V.

GOVERNOR GREG ABBOTT and ROD
WELSH, *Executive Director of The Texas State
Preservation Board, In Their Official Capacities,*

Defendants.

1:16-CV-233-DII

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Plaintiff Freedom from Religion Foundation, Inc.’s (“FFRF”) Motion for Attorney’s Fees and Costs, (Dkt. 152). (R. & R., Dkt. 162). Both parties timely filed objections to the report and recommendation, (Objs., Dkts. 163, 164), and responses to each other’s objections to the report and recommendation, (Resp., Dkts. 165, 166).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because the parties timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules the parties' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 162), is **ADOPTED**.

IT IS FURTHER ORDERED that FFRF's Motion for Attorney's Fees and Costs, (Dkt. 152), is **GRANTED**.

IT IS FINALLY ORDERED that FFRF shall recover from Defendants \$342,556.31 in attorneys' fees¹ and \$3,957.36 in costs.

The Court will enter an amended final judgment by separate order.

SIGNED on January 12, 2024.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE

¹ FFRF's requested \$456,741.75, reduced by 25% to account for mixed success.